

Notice of Allowability

Application No.

09/639,645

Applicant(s)

KAMEDA, TOSHITADA

Examiner

Carolyn M Bleck

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment submitted 20 May 2004.
2. ☒ The allowed claim(s) is/are 1,3,4,6-23,25 and 27.
3. ☒ The drawings filed on 16 August 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☒ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

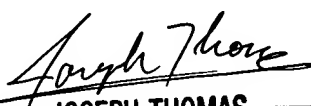
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 17 May 2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 23 Aug 2004
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the amendment filed 20 May 2004. Claims 1, 3-4, 6-23, 25, and 27 are pending. Claims 1, 3, 25, and 27 have been amended. Claims 2, 5, 26, and 28 have been cancelled. The IDS statement filed 17 May 2004 has been entered and considered.

Election/Restrictions

2. This application is in condition for allowance except for the presence of claims 26 and 28 drawn to invention II non-elected without traverse. Accordingly, claims 26 and 28 have been cancelled.

Specification

3. The objection to the abstract has been hereby withdrawn due to the amendment filed 20 May 2004.

Examiner's Amendment

4. The application has been amended as follows:

The title of the application has been changed to:

"A system and method for record aiding and displaying a medical care schedule using condition marks".

Allowable Subject Matter

5. Claims 1, 3-4, 6-23, 25, and 27 (now renumbered 1-23) are allowed. The following is an Examiner's statement of reasons for allowance:

6. Claim 1 is directed to a system for generating a medical schedule. For example, claim 1 recites a combination of elements including, among other things, a display controlling device for selecting one of a plurality of kinds of condition marks in correspondence with a relationship between an execution timing of a medical care action and a measured present date and time; one kind if a time interval from the execution timing of the respective one of the medical care actions to the present date and time is longer than a predetermined interval, another kind if the time interval is not longer than the predetermined interval, and further another kind if the present date and time has passed through the execution timing and the respective one of the medical care actions was not completed. Further, independent claim 1 recites the display controlling device calculating a present position in the table corresponding to a measured present date and time and generating second sub display data to display a present mark at the calculated present position.

The closest prior art of record, Kameda et al. (EP patent application No. 0 784 283 A1) teaches a system for generating a medical schedule, wherein a first flag is generated if a medical care action was completed and a second flag if the medical care action was not completed. Kameda does not disclose generating one kind of flag if a time interval from the execution timing of the respective one of the medical care actions to the present date and time is longer than a

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predetermined interval, another kind of flag if the time interval is not longer than the predetermined interval, and further another kind of flag if the present date and time has passed through the execution timing and the respective one of the medical care actions was not completed, as recited in independent claim 1.

Kameda et al. does not disclose generating flags according to a time interval relationship between execution timing of a medical care action and a measured present date and time at all. Further, Kameda does not disclose calculating a present position in the table corresponding to the measured present date and time or generating second sub display data to display a present mark at the calculated present position, as recited in independent claim 1.

7. Independent claims 25 and 27, now renumbered as 22 and 23 respectively, recite a combination of steps including, among other things, selecting one of a plurality of kinds of condition marks set in advance, in correspondence with a relationship between the execution timing of the respective one of the medical care actions and the measured present date and time; one kind if a time interval from the execution timing of the respective one of the medical care actions to the present date and time is longer than a predetermined interval, another kind if the time interval is not longer than the predetermined interval, and further another kind if the present date and time has passed through the execution timing and the respective one of the medical care actions has not been completed. Further, independent claims 25 and 27, now renumbered as 22 and 23 respectively, recite calculating a present position in the table corresponding to the measured present date and time and generating

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second sub display data to display a present mark at the calculated present position.

The closest prior art of record, Kameda et al. (EP patent application No. 0 784 283 A1) teaches a method for generating a medical schedule, wherein a first flag is generated if a medical care action was completed and a second flag if the medical care action was not completed. Kameda does not disclose generating one kind of flag if a time interval from the execution timing of the respective one of the medical care actions to the present date and time is longer than a predetermined interval, another kind of flag if the time interval is not longer than the predetermined interval, and further another kind of flag if the present date and time has passed through the execution timing and the respective one of the medical care actions was not completed, as recited in independent claims 25 and 27, now renumbered as 22 and 23 respectively. Kameda et al. does not disclose generating flags according to a time interval relationship between execution timing of a medical care action and a measured present date and time at all. Further, Kameda does not disclose calculating a present position in the table corresponding to the measured present date and time or generating second sub display data to display a present mark at the calculated present position, as recited in independent claims 25 and 27, now renumbered as 22 and 23 respectively.

8. Claims 3-4 and 6-23 (now renumbered as 2-21) incorporate the features of claim 1 through dependency, and are also allowed for the same reasons given above.

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9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delay, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Medical care schedule and recording aiding system and method (5,913,197, 5,923,018, and 6,321,203);
- Baxter-Clinicom linkup for nurses using a software system (National Report on Computers and Health); and
- Charting vital signs using computers (Nussbaum).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn Bleck whose telephone number is (703) 305-3981. The Examiner can normally be reached on Monday-Thursday, 8:00am – 5:30pm, and from 8:30am – 5:00pm on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached at (703) 305-9588.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 306-1113.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

12. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 872-9306 or (703) 872-9326 [Official communications]

(703) 872-9327 [After Final communications labeled "Box AF"]

(703) 746-8374 [Informal/ Draft communications, labeled
"PROPOSED" or "DRAFT"]

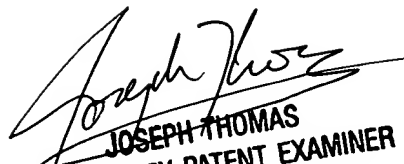
Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th Floor (Receptionist).

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August 12, 2004


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600